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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/402,563	10/05/1999	LEO K. VAN ROMUNDE	KOB10	6102

7590 11/29/2002

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/402,563

Applicant(s)

VAN ROMUNDE, ET AL

Examiner

Akiba K Robinson-Boyce

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-14,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-14,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. In response to the communication received on 9/9/02, the following is a final office action. Claims 1-3, 5-14, 16 and 17 are pending in this application and have been examined on the merits. Claims 4 and 15 have been canceled by amendment. Claims 1-3, 5-14, 16 and 17 are rejected. Any amendments added to the claims have been addressed in the rejection. The previous rejection has been withdrawn and the following rejection reflects the claims as amended.

Specification

2. The specification is objected to because there are no discussions in the specification in relation to the figures.

Claim Objections

3. The claims are objected to because the lines are crowded too closely together, making reading and entry of amendments difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 5-14, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by McIlroy et al (US Patent 5,583,758).

As per claims 1, 12, McIlroy, et al discloses:

Method for electronically storing, retrieving and/or modifying records.../computer system for electronically storing...(Col. 2, lines 42-47. Col. 11, lines 52-64, where displaying of the file on the screen constitutes the storage of the file or record);

comprising a display unit...(Col. 4, line 54);

an input unit...(Col. 4, line 52);

a memory unit...(Col. 4, line 52);

and a processing unit...(Col. 4, line 52);

and involving at least one recorded catalogue of recommended actions.../wherein said memory unit of the computer system comprises at least one recorded catalogue...(Col. 7, lines 45-53, Col. 5, lines 21-45);

and for sequentially steering a process of interrelated actions from said at least one recorded catalogue of recommended actions...(Col. 7, line 54-Col. 8, line 22, Col. 2, line 59-Col. 3, line 3);

wherein at least one recorded catalogue of recommended action comprises hierarchised sequences of alternative actions.../involving hierarchised sequences of alternative actions...(Col. 2, lines 66-Col. 3, line 4 [options], Col. 5, lines 14-20);

wherein said actions comprise sequential procedure steps...(Col. 7, line 54-Col. 8, line 22);

wherein for each of said steps the method generates electronic evaluation forms.../wherein said processing unit of the computer is programmed to generate electronic evaluation forms...(Abstract, lines 4-14, Figs 10-17);

hierarchically organized as forms and sub-forms...(Col. 11, lines 6-18, from Fig. 10 to Fig. 11);

wherein said evaluation forms comprise a list of recommended actions...(Col. 13, lines 6-18, Fig. 16);

information-input requests...(Col. 13, lines 30-44);

and wherein said generation of evaluation forms is carried out in function of said hierarchised sequences of alternative actions...(Col. 3, lines 2-4, Col. 5, lines 21-45);

and in function of the past history of actions...(Col. 6, line 64-Col. 7, line 6);

so as to enable transfer of a group of evaluation forms and sub-forms in one operation into one file...(Col. 18, line 59-Col. 19, line 8).

As per claims 2, 13, McIlroy, et al discloses:

Wherein said at least one recorded catalogue of recommended actions comprise associated electronic selection algorithms in respect of the hierarchised sequences of alternative actions...(Col. 3, line 2-4).

As per claim 3, 14, McIlroy, et al discloses:

Wherein said selection algorithms are integrated in said generated electronic forms...(Figs 10-17).

As per claim 5, 16, McIlroy, et al discloses:

Wherein said evaluation form comprises information from records relevant for a decision-request...(Col. 5, lines 56-65).

As per claim 6, McIlroy, et al discloses:

Wherein a record of information entered and used is stored in said memory unit...(Col. 4, lines 56-59).

As per claim 7, 17, McIlroy, et al discloses:

Wherein a record of the information and actions entered and used is stored in the memory unit of the purpose of measurement of the effectivity and/or efficiency of effects and/or results of the procedure...(Col. 18, lines 16-20).

As per claim 8, McIlroy, et al discloses:

Wherein the method involves a supervising organization for the purpose of quality control and quality improvement...(Col. 18, lines 20-22).

As per claim 9, McIlroy, et al discloses:

Wherein the method allows for updating of the recorded catalogue(s) of recommended actions...(Col. 10, lines 14-15).

As per claim 10, McIlroy, et al discloses:

Wherein said supervising organization evaluates the effectivity and/or efficiency of effects and/or results based on said records of information and actions used/entered,

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stored during use of the method, and updates the recorded catalogue(s) of recommended actions in function of said evaluation...(Col. 3, lines 21-25).

As per claim 11, McIlroy, et al discloses:

Wherein the steering software is an application embodiment (Col. 5, lines 43-46).

The following is inherent with McIlroy, et al because these types of applications are repeatedly used as steering solutions in the electronic document maintenance art. In addition, McIlroy already teaches the use of an application program as steering software as cited above. Limiting these applications to LOTUS NOTES and/or LOTUS DOMINO NOTES does not make the invention patentable.

Response to Arguments

6. The drawing changes submitted with this amendment have been approved by the examiner. The examiner acknowledges the changes made on page 10 to refer to reference numerals added to figure one, however, the specification with respect to the drawings is still objected to. The specification still fails to discuss a "Description of Drawings" which describes each figure listed in the Drawings section.

7. The Abstract submitted by the applicant is acknowledged and approved by the examiner.

8. The claims objections to claims 4, 6-11, 14, 15 and 17 are withdrawn due to the amendment submitted on 9/9/02.

9. The 35 USC 112 rejections to claims 4, 6-9, 11, 14, 15 and 17 are withdrawn due to the amendment submitted on 9/9/02.

10. Applicant's arguments filed 9/9/02 have been fully considered but they are not persuasive.

As per claims 1-17, the applicant argues that McIlroy fails to teach that the actions of the catalogue comprise sequential procedure steps, that for each step, the evaluation forms are generated which are hierarchically organized as forms and sub-forms, and that the transferring of a group of the evaluation forms and sub-forms using one operation into one file takes place. However, McIlroy discloses all of these limitations. First, McIlroy discloses that the actions of the catalogue comprise sequential procedure steps in Col. 7, line 54-Col. 8, line 22. Here, McIlroy describes a diagnosis-based guideline which provides the framework to reflect critical factors in the decision process of the invention. In this description, specific procedural steps are processed in order to complete the steps of the guideline. These steps occur in a certain logical sequence with the motivation of providing a sensible framework and a reasonable diagnosis. Second, McIlroy discloses that for each step, the evaluation forms are generated which are hierarchically organized as forms and sub-forms. These forms and sub-forms are shown in Figures 10-17. Specifically the generation of the sub-form is shown in Figures 10 and 11. In Fig 10, a form is displayed in which the user has the ability to select medical categories in which there is an interest to evaluate. Figure 11 then shows a form where the user is able to select a guideline by name for a

selected category in which there is an interest to evaluate. In this case, the form in Figure 11 is a sub-form of the form in Figure 10 since the form of Figure 11 comes from the selection made through the form of Figure 10. These forms are hierarchically organized since each form is derived through a hierarchical process order; the first form in which the user interacts (Fig. 10) is at the top of the hierarchy and is the form which has the broadest subject matter. The sub-forms come underneath the form in Fig. 10 and are lower in the hierarchy of forms since they are derived through selections made in the form. Finally, McIlroy discloses that the transferring of a group of the evaluation forms and sub-forms using one operation into one file takes place. This is shown in Col. 18, line 59-Col. 19, line 8. Here, McIlroy discloses an aggregate report where for each guideline in each category, an aggregate of the recommendation treatments are disclosed. This operation would be analogous to aggregating the information taken from the forms and sub-forms since the information taken from the forms and sub-forms are evaluated and lead to recommendation treatments.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

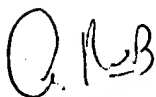
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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3988 for regular communications and 703-305-3988 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A.R.B.

November 25, 2002



TARIQ R. HAFIZ
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